

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|--------------------------|---|-------------------------|
| CHARLES HICKS, # 246241, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 2:07-cv-64-WKW |
| |) | [wo] |
| ALABAMA DEPARTMENT OF |) | |
| CORRECTIONS, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

On January 23, 2007, the Magistrate Judge filed a Recommendation (Doc. # 5) in this case to which no timely objections have been made. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is ORDERED that:

1. The Recommendation (Doc. # 5) is ADOPTED;
2. The plaintiff's claims against the Alabama Department of Corrections are DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
3. The Alabama Department of Corrections is DISMISSED from this action; and
4. This case is REFERRED back to the Magistrate Judge for further appropriate proceedings.

Done this 14th day of February, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE